

EXHIBIT B

Case 2:13-cv-05022-EFS Document 1 Filed 02/25/13



January 30, 2013

VIA CERTIFIED AND REGULAR U.S. MAIL

Mr. James Busey
250 Gage Boulevard, Apt. 3046
Richland, Washington 99352

**RE: Notice of Probable Cause for Discharge and Nonrenewal Pursuant to
RCW 28A.405.210 and RCW 28A.405.300**

Dear Mr. Busey:

As you know on December 10, 2012 you were placed on paid administrative leave pending an investigation into allegations of misconduct by you while you were employed as Superintendent of the Richland School District. As part of this investigation a School District designated investigator has interviewed various individuals regarding these allegations and your role as Superintendent. In addition, the Board has heard from numerous other administrative staff and employees regarding these matters. Finally, you have been interviewed regarding these allegations on several occasions and you have been provided notice of the allegations against you as well as an opportunity to respond.

Based on the School Board's careful review of all information, including comments by you, the Board concludes that you have engaged in the following unprofessional conduct which has materially and substantially affected your ability to perform the duties of Superintendent of schools. Specifically the Board finds that you have engaged in the following:

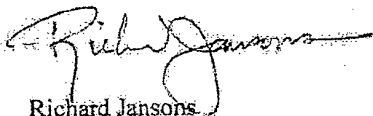
1. You have engaged in a long-standing extramarital sexual affair with a subordinate employee of the Richland School District. Such conduct violates the contractual provisions of your employment contract with the District and constitutes unethical and immoral conduct.
2. You engaged in inappropriate and unprofessional conduct with a female professional who you met while she was acting as a consultant at one of our schools. You met her in this role and pursued a romantic relationship with her while you were married.
3. You used School District equipment for inappropriate personal reasons including pursuit of your inappropriate extramarital affair with a School District staff member.

4. Your conduct and affair with another School District employee caused disruption and unnecessary stress at the employee's work site, an elementary school in the District.
5. You threatened the School District that if they did not reinstate you or pay you the entire amount of your contract you would go to the press and take action to cause deliberate harm to the School District.
6. You recently informed the press that you believed that the upcoming bond was too high without ever sharing this "opinion" with the School Board.
7. Your conduct creates the appearance of a conflict of interest and exposes the School District to potential liability.

Based on the above, it is my conclusion that the above-referenced conduct, individually and in the aggregate, is unprofessional, inappropriate, based on substantial poor judgment, and is a flagrant disregard of generally recognized professional standards. I also believe your conduct lacks any positive educational aspect or legitimate professional purpose. Your conduct has a material and substantial adverse affect on your ability to deal with students, parents, the community and other staff members. Your conduct has seriously impaired your ability to function as an effective Superintendent of schools. Your conduct is inconsistent with the message you conveyed to staff as to the professional conduct expected of School District employees and has seriously undermined the trust necessary between your position as Superintendent of schools and the School Board, administrators, and other staff.

I therefore conclude that probable cause exists for your discharge from employment with the Richland School District. Under the contract between yourself and the Richland School District you have the right to challenge this discharge through the arbitration proceeding set forth in your contract. In the alternative, you may have a statutory right of appeal. I suggest you consult with your attorney.

Sincerely,



Richard Jansons
Richland School Board

cc: Personnel File

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